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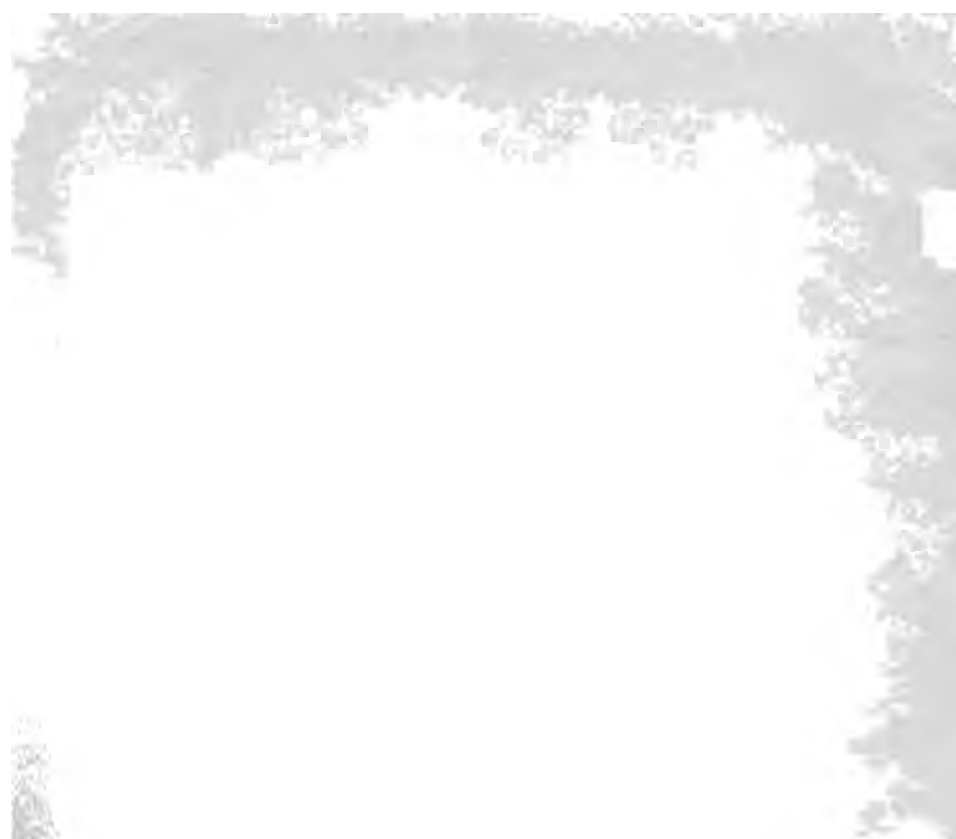
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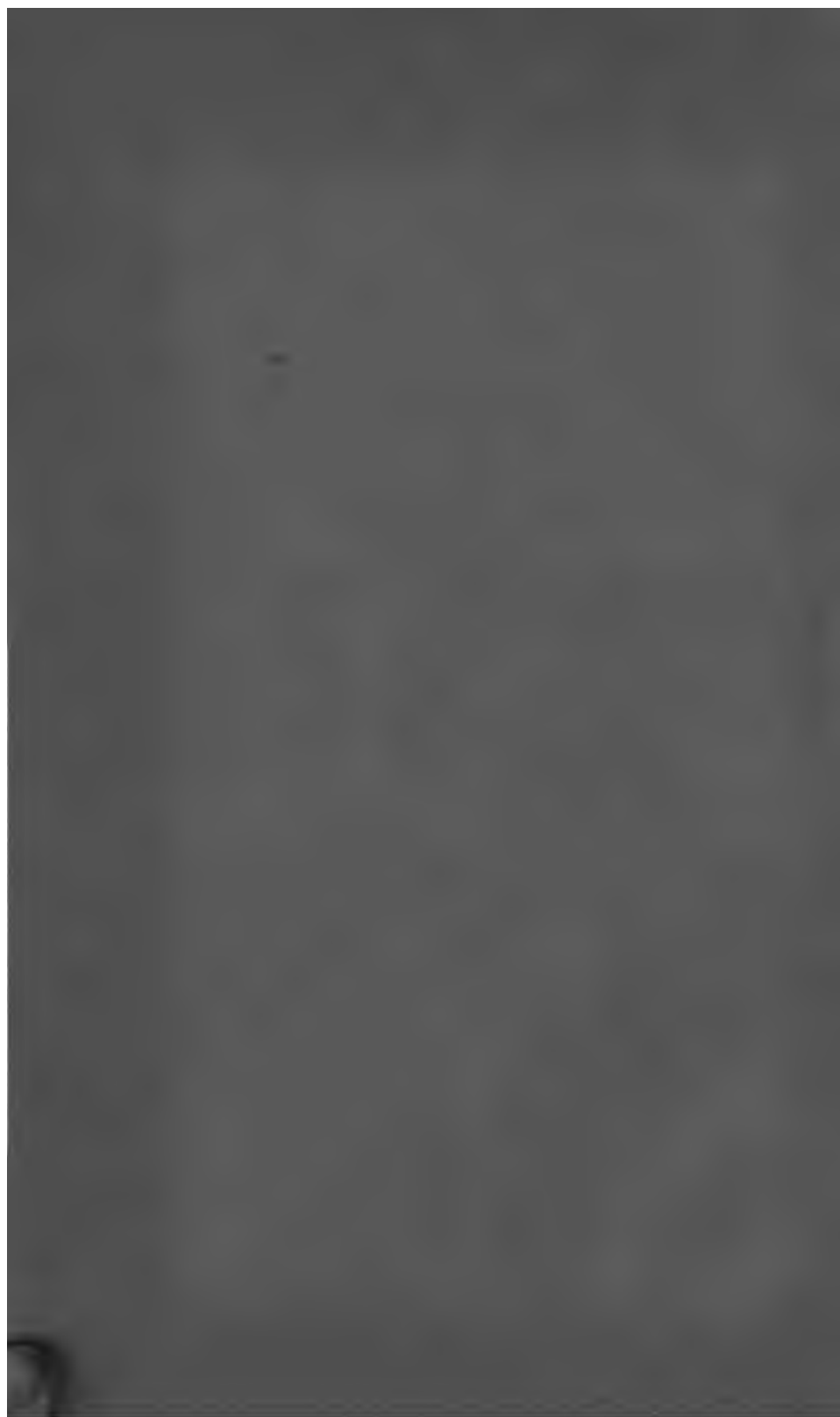
Bd. Oct. 1871.











A EULOGY

UPON THE LIFE AND CHARACTER OF THE LATE

HON. ROBERT Y. HAYNE :

DELIVERED, ON THE 13th FEBRUARY, 1840,

AT THE

CIRCULAR CHURCH,

BY APPOINTMENT OF THE CITIZENS OF CHARLESTON.

By GEORGE M'DUFFIE.

PUBLISHED AT THE REQUEST OF THE CITY COUNCIL OF CHARLESTON.

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of Charleston, S.C.

PREFACE.

On the 27th of September last, the melancholy intelligence was received in Charleston, of the death of our distinguished and lamented fellow citizen, the Hon. ROBERT Y. HAYNE. He died at Ashville, North Carolina, a few days previously, of a fever which he had contracted whilst on a journey to that place, whither he had gone to attend a Convention of the Louisville, Cincinnati, and Charleston Rail Road Company, of which he was the President. As soon as the fact of his demise was authentically ascertained, the City Council of Charleston was specially convened for the purpose of paying to his memory an appropriate tribute of respect. That Body met accordingly, on the day following, (the 28th,) when the following proceedings took place :

SPECIAL MEETING OF THE CITY COUNCIL, }
Saturday, 1 o'clock, P. M. Sept. 28th, 1840. }

Present—the Mayor, Aldermen RIPLEY, SEYMOUR, M'DONALD, PATRICK, PATTON, SIMONS, LANCE, KINLOCH, HUNTER.

The Mayor stated that he had convened Council for the purpose of communicating the melancholy intelligence of the death of the Hon. ROBERT Y. HAYNE, and with a view to some suitable action on the part of Council, respecting an event so truly mournful in itself, and so justly regarded as a public calamity by all our people. The Mayor then addressed Council in relation to the eminent public services, and pure and exalted character of the deceased, dwelling particularly on the great and irreparable loss which this community has sustained, in the sudden and unexpected death of so able, so public spirited, so excellent a man—her most distinguished and favorite son.

Alderman SEYMOUR then offered the following resolutions, which having been seconded by Alderman LANCE, were unanimously adopted :

1st. *Resolved*, That the City Council has received with the deepest sorrow, the melancholy intelligence of the death of the Hon. ROBERT Y. HAYNE.

2d. *Resolved*, That justly regarding this lamentable event as a severe public calamity, not only to the city of Charleston, but to the State, and the Union, and holding, as they do, the public services and private character of the deceased, in the most grateful and respectful estimation, they desire to honor his memory in some manner that may most suitably express their high appreciation of his worth, and their unfeigned sorrow for his loss.

3d. *Resolved*, That for this purpose, and for the further purpose of uniting with the whole community, in a public expression of the general and profound grief which pervades it, on account of this sudden and afflictive dispensation, the Mayor be requested to convene the citizens on Wednesday next, at 12 M., at the City Hall, and to submit to them in behalf of Council, a preamble and resolutions adapted to the mournful occasion of their meeting.

4th. *Resolved*, That among the resolutions to be offered to the meeting by the Mayor, he be requested to submit to them the propriety of erecting a suitable monument in the centre of the City Square, to the memory of the deceased.

The following resolution was then offered by Alderman SIMONS, which having been seconded by Alderman PARTON, was also unanimously adopted, viz :

Resolved, That, as a further testimony of respect for the memory of the late General ROBERT Y. HAYNE, and as a manifestation of their deep regret for his loss, the Mayor and Aldermen will wear crape on the left arm for the space of thirty days.

Council then adjourned.

JOHN R. ROGERS, *Clerk of Council*.

In compliance with the third of the foregoing Resolutions, the citizens were convened by the Mayor, at the City Hall, on the 2d of October, 1839, when a very numerous and respectable assemblage attended, which was organized by the appointment of the Hon. HENRY DEAS, as the Chairman, and R. W. SHYMOUR, as the Secretary, of the meeting. The object of the meeting having been briefly, but emphatically stated by the Chair, the Mayor then addressed the assembly on the mournful subject which had caused him to convene them, after which, he submitted a Preamble, exhibiting a sketch of the life and character, and public services of the deceased, together with a series of Resolutions, all of which were adopted with the most marked demonstrations of public sympathy and sorrow. The Resolutions alluded to were to the following effect, viz :

1st. *Resolved*, That we, the citizens of Charleston, deeply deplore the death of our beloved and distinguished fellow citizen, the Hon. ROBERT Y. HAYNE, to whom we were attached by every feeling of affection, and every principle of gratitude.

2d. *Resolved*, That justly and candidly appreciating his numerous and important public services : his ardent patriotism and enlightened zeal : his manly, fervid, and prevailing eloquence : his matured experience, and bold, yet prudent wisdom : his high sense of honor, and pure and inflexible integrity : his noble liberality and unwearied devotion to every useful and patriotic undertaking : we regard his decease as a calamity to the city of Charleston, the State of South Carolina, and the Union at large.

PREFACE.

v

3d. *Resolved*, That in testimony of our gratitude and admiration for the character and services of the deceased, the chairman of this meeting be authorized to appoint a committee of twenty-five citizens, whose office it shall be to select a suitable person to deliver an Eulogium on him, and who shall notify the public of the time of its delivery, and make all necessary arrangements in relation to the same.

4th. *Resolved*, That in further testimony of our admiration and gratitude for the character and services of the deceased, we do cordially concur in the suggestion of the Honorable the City Council, that a monument be erected to his memory in the centre of the City Square, and that the City Council be, and they are hereby authorized and requested to erect the same in the name of the City of Charleston, and the Neck; and that every citizen of this city, or of this State, who may desire to contribute to the same, be requested to transmit his contribution to the City Treasurer.

5th. *Resolved*, That this meeting sincerely sympathize with the afflicted family and relatives of the deceased, in the severe bereavement they have been called to sustain, and that the chairman be requested to transmit a copy of these proceedings to his respected relict, with an expression of the unfeigned condolence of this whole community.

Under the third resolution, the following gentlemen were appointed by the chairman a committee to select an orator:

Hon. Jacob Axson, Hon. Thomas Bennett, Hon. Francis D. Quash, Ker Boyce, Samuel Wragg, Charles Edmondston, John A. Stuart, M. I. Keith, John Huger, R. W. Seymour, Tristram Tupper, Dr. Edward W. North, Charles M. Furman, J. F. Mintzing, John Schnierle, Henry A. DeSaussure, William Aiken, Henry W. Peronneau, Richard Yeaden, Jun., Alexander M'Donald, John Magrath, J. N. Cardozo, Samuel Burger, Dr. Thomas Y. Simon, W. B. Pringle.

Ordered, that the chairman of the meeting, and the mover of the resolutions, be added to the committee of twenty-five, and that the chairman of the meeting act as chairman of that committee.

A few days after their appointment, the Committee of Twenty-Five met at the City Hall, and selected the Hon. GEORGE M'DUFFIE to deliver the Eulogium. This appointment having been accepted by Mr. M'DUFFIE, the 23d of November, 1839, was at first determined on for the delivery of the Eulogium, but to accommodate the orator, who was unable to visit the city at that time, the day was subsequently changed to the 13th of February, 1840.

On the 8th of October, 1839, (the first meeting of Council after the meeting of the citizens,) the following proceedings took place:

CITY COUNCIL, TUESDAY, Oct. 8th, 1839.

The Mayor reported to Council the proceedings of the public meeting of citizens on the 2d inst., in relation to the death of the Hon. ROBERT Y.

HAYNE, in connection with which, he offered the following resolutions, for the consideration of the Council, viz :

Whereas, the citizens at their meeting on the 2d inst., in relation to the lamented death of the Hon. ROBERT Y. HAYNE, adopted, among others, the following resolution, viz :

Resolved, That in further testimony of our admiration and gratitude for the character and services of the deceased, we cordially concur in the suggestion of the Honorable the City Council, that a monument be erected to his memory in the centre of the City Square, and that the City Council be, and they are hereby authorized and requested to erect the same in the name of the City of Charleston, and the Neck ; and that every citizen of this city, or of this State, who may desire to contribute to the same, be requested to transmit his contribution to the City Treasurer.

Be it therefore Resolved, by the City Council—1st. That a monument shall be erected to the memory of the Hon. ROBERT Y. HAYNE, in the centre of the City Square.

2d. *Resolved*, That a Special Committee, to consist of three Aldermen, and three gentlemen selected from amongst the citizens, be appointed to procure plans and estimates, and to superintend the execution of the work ; and that one hundred dollars be given for the plan that may be approved by Council.

3d. *Resolved*, That Ward Committees, of four each, be appointed to collect contributions for the monument in their respective wards, and that they pay over the amounts, respectively collected by them, to the City Treasurer.

4th. *Resolved*, That the City Treasurer be, and he is hereby required, to receive, deposit, and keep a separate account of all monies transmitted or paid over to him, on account of the monument fund.

5th. *Resolved*, That the Building Committee do report to Council the plans and estimates they may obtain, in order that Council may determine the plan to be adopted, and the amount to be appropriated for the erection of the same.

6th. *Resolved*, That the citizens of the Neck be respectfully invited to appoint a committee to collect contributions for the monument fund, and transmit them to the City Treasurer.

The resolutions were concurred in.

Under the second resolution the following Joint Committee was appointed by the Mayor :

On the part of Council—Aldermen M'Donald, Seymour, and Simons.
On the part of the citizens—Ker Boyce, Chas. Fraser, and Wm. P. Finley.

Under the third resolution, (relating to the collection of contributions,) the following Ward Committees were appointed by the Mayor, viz :

Ward No. 1—Charles Edmondston, James Chapman, Isaac S. Bailey.

Ward No. 2—Henry A. DeSaussure, T. Farr Capers, M. I. Keith, Pinckney Johnson.

Ward No. 3.—Wm. Kirkwood, Henry S. Tew, B. Lanneau, J. C. Burckmyer.

Ward No. 4—Daniel Horlbeck, Thomas O. Elliott, Daniel C. Levy, E. L. Kerrison.

It may here be remarked, that though the Joint Committee in relation to the erection of a monument, have received several very appropriate and tasteful plans, no definite steps have yet been taken for the execution of the work, in consequence of the extraordinary pecuniary difficulties of the times, which have opposed an almost insurmountable obstacle to the collection of the amount of contributions necessary to that object.

About ten days before the time appointed for the delivery of the Eulogium, it having become necessary that all the arrangements connected therewith, should be definitely made, the Mayor, (in the absence of Mr. DEAS from the city,) convened the Committee of Twenty-Five, of whose proceedings, upon that occasion, the following copy is subjoined :

CITY HALL, MONDAY, FEB. 3, 1840.

At a meeting of the committee of twenty-five, (appointed by the citizens to select an Orator to deliver an Eulogium upon the character of the late Gen. HAYNE,) held this day at the City Hall, the Hon. H. L. PRINGLE, Mayor, was requested to act as chairman, in the absence of the Hon. HENRY DEAS; and WILLIAM B. PRINGLE, Esq., was appointed secretary. The chairman laid before the meeting a series of resolutions, which having been amended by the filling of the blanks, and the appointment of Sub-committees, were unanimously adopted by the meeting, as was also a resolution offered by Mr. BOYCE.

The resolutions alluded to are as follow, viz:

Whereas, the delivery of a Eulogium upon the late General HAYNE, by the Hon. GEORGE M'DUFFIE, is to take place on Thursday, the 13th inst., and the time has arrived when all the arrangements connected therewith should be definitely made:

1. *Therefore, be it Resolved*, That, in the opinion of this committee, it is proper that a civic and military procession be formed on the occasion, for the purpose of paying, in that manner, an appropriate tribute to the memory of the deceased, and of exhibiting the exalted estimation in which his character and services are held, as well in the military as in the civic stations which he occupied.

2. *Resolved*, That for the purpose of forming a civic procession, the Rev. the Clergy of all denominations, the Hon. the Judges and members of the Bar, members of the State Legislature, officers of the State, the Hon. the City Council and City Officers, the President, Directors, and Officers of the Charleston, Louisville and Cincinnati, and Charleston and Hamburg Rail Road companies, all the Societies of the city and the neck, all Foreign officers, officers of the U. S. Army and Navy, Revolutionary officers, the citizens generally of the city and the neck, and all such citizens of the State as may be within the city, be, and they are hereby respec-

fully invited to attend, and unite, for the object above mentioned, at the time and place designated in another resolution.

3. *Resolved*, That for the purpose of forming a military, in connection with a civic procession, on the occasion above mentioned, this committee do respectfully request Brigadier General EDWARDS to order out all that portion of the 4th Brigade, which is composed of uniform corps, and to hold it in readiness to unite with the civic part of the procession at the time and place designated in another resolution.

4. *Resolved*, That the civic and military procession be organized at the East Bay Battery, and be put in motion by the Marshals of the day, at the hour of eleven, A. M. precisely, on Thursday, the 13th inst.

5. *Resolved*, That Col. JAMES LYNAB, Major A. G. MAGRATH, Col. THOMAS D. CONDY, Hon. JAMES S. RHETT, WILLIAM BRISBANE, and THOMAS CORBETT, Jun., be, and they are hereby appointed Marshals of the day, with full power to arrange and regulate the procession, and that they be requested, as soon as they shall have prepared the order of arrangements, to publish the same in the daily papers, for the general information of the citizens, and that the procession may be readily formed without confusion or delay.

6. *Resolved*, That in the opinion of this committee, it is desirable that the use of the Circular Church be obtained for the delivery of the Eulogium, said church being not only centrally situated, but capable of affording much larger accommodations than any other to the citizens, and that Messrs. PINCKNEY, PERONNEAU, and PRINCE, be appointed a Sub-committee to apply for the use of the said church upon this occasion.

7. *Resolved*, That in the event of the said Sub-committee obtaining the use of the Circular Church for the delivery of the Eulogium, the said Sub-committee be instructed to request the Pastor of the said church to perform divine service on the occasion, accompanied by appropriate sacred music, and that said committee do make all necessary arrangements as regards the church, for the delivery of the Eulogium by Gen. M'DUFFIE.

8. *Resolved*, That Messrs. BOYCE, SIMONS, and EDMONDSTON, be appointed a Sub-committee to wait upon Gen. M'DUFFIE, on his arrival in the city, and to acquaint him with the arrangements made by this committee.

9. *Resolved*, That the Sub-committee on the church be requested to set apart the galleries for the exclusive accommodation of the ladies, and that this arrangement be included in the publication by the Marshals of the day.

10. *Resolved*, That the Mayor be requested to detail a suitable portion of the City Guard, on the day of the procession, to preserve order and decorum, and to perform any duties that may be assigned them for that purpose by the Marshals of the day.

11. *Resolved*, That in the opinion of this committee, measures should soon be taken for the erection of a monument to Gen. HAYNE, and that, therefore, they do respectfully request the Ward Committees, appointed by the Mayor, to collect contributions, to proceed to collect them in their respec-

tive Wards, on the days immediately succeeding the delivery of the Eulogium.

12. *Resolved*, That the citizens of the city and the neck, be respectfully requested to set apart *Thursday, the 13th inst.*, as a solemn and sacred day, on which all classes of our people may unite in a tribute of respect to the memory of South Carolina's distinguished and lamented son, **ROBERT Y. HAYNE**, and that, on that day, the Banks and all other corporations be requested to suspend their business, and that all places of business or amusement be closed on that solemn and melancholy occasion.

Ordered, That the foregoing resolutions be published in all the daily papers of the city.

H. L. PINCKNEY, *Chairman*.

WILLIAM B. PRINGLE, *Secretary*.

A few days after the foregoing proceedings by the Committee of Twenty-Five, the Marshals of the day, having made all necessary arrangements, published, for general information, the following

ORDER OF PROCESSION.

The Marshals appointed by the committee of citizens, authorized to make arrangements for the *Eulogium* on the late Hon. **ROBERT Y. HAYNE**, on **THURSDAY**, the 13th inst., respectfully inform the citizens that the following will be the order of the civic and military procession :

A Marshal.

Escort of Cavalry.

Music.

Military Escort.

A Marshal.

Fire Companies of the City and Neck.

Officers of the Militia.

Brigadier General and Staff.

Citizens generally.

SOCIETIES IN THE FOLLOWING ORDER:

A Marshal.

St. Andrew's Society.

A Marshal.

South Carolina Society.

St. George's Society.

Charleston Library Society.

Medical Society.

Fellowship Society.

German Friendly Society.

Mechanic's Society.

Hebrew Benevolent Society.

Hebrew Orphan Society.

Hibernian Society.

Charleston Marine Society.

New England Society.

St. Patrick's Benevolent Society.

Typographical Society.

French Benevolent Society.

South Carolina Mechanic's Association.

PREFACE.

Methodist Benevolent Societies.
 Literary and Philosophical Society.
 Music.
 A Marshal.
 Foreign Consuls.
 A Marshal. Revolutionary Officers. A Marshal.
 Officers of the Army and Navy of the United States.
 The Members of the Bar.
 Judges of the United States, State, and City Courts.
 The Reverend the Clergy of all denominations.
 The Officers of the Rail Road Companies.
 The President and Directors of the L. C. and C., and S. C. C. and R. R.
 Companies.
 Committee of Arrangements.
 Members of the State Legislature.
 Governor of the State, with the President of the Senate and Speaker of
 the House.
 The Relatives of the late R. Y. HAYNE.
 The Hon. GEO. M'DUFFIE, with the Mayor of the City, and the Hon. HENRY
 DEAS, Chairman of the Committee.
 City Council, with the Officers of the City.
 A Marshal.

The following regulations will be observed :—

1. The military escort will be moved at 10 o'clock, A. M., from the brigade parade ground, down Meeting-street, and take post on the South Bay Battery—right resting on the East Bay Battery, and faced to the North.
2. The civic Societies are requested to report themselves to the Marshals before half past ten o'clock, A. M., and will be arranged in the order in which they are named, on the South Bay Battery, between King and Meeting-streets—right, resting on Meeting-street, faced to the North.
3. The Fire Companies will be arranged according to the dates of their charters, in Meeting-street. Right, resting on the South Bay Battery.
4. The other parts of the procession, and all who will compose the same, are requested to assemble on the South Bay Battery, on the North pavement, between King and Meeting-streets.
5. The procession, when formed, will move along the East Bay Battery, then counter-march, and move up to Meeting-street, thence up Meeting-street to the Circular Church.
6. As soon as the procession arrives at the church it will be halted, and opened to the right and left, facing inwards, and advance from the rear.
7. The ceremonies in the church will consist of a Prayer by the Rev. Dr. POST, Pastor of the church; an Anthem by the choir; the Eulogy by Gen. M'DUFFIE, and conclude with appropriate music.
8. The galleries are reserved exclusively for the accommodation of the ladies, and no person, except ladies, will be admitted to the church before the procession enters.
9. The following gentlemen have been appointed Assistant Marshals,

by the Mayor and the Committee of Citizens : Major T. L. WEBB, Dr. A. G. HOWARD, J. M. WALKER, R. N. GOURDIN, and W. H. INGLESBY, Esquires.

JAMES LYNNAH, A. G. MAGRATH, T. D. CONDY, J. S. RHETT, W. S. BRISBANE, J. CORBETT, Jun.,	}	Marshals.
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Simultaneously with the above publication by the Marshals, the Mayor also issued the following Proclamation, which was very generally observed by the citizens on the day on which the Eulogium was delivered :

MAYOR'S OFFICE, FEB. 6, 1840.

Whereas the Committee of Citizens who were appointed by a public meeting, to select an Orator to deliver an Eulogium upon the character of the late General HAYNE, have expressed a desire, that on the day on which the Eulogium is to be pronounced by Gen. M'DUFFIE, all places of business or amusement in the city should be closed ; Now, therefore, in compliance with the desire of said committee, and in accordance with the public feeling generally, I do hereby set apart *Thursday*, the 13th instant, as a day dedicated to the ceremonies which have been directed to be performed in honor of the memory of our distinguished and lamented fellow citizen, ROBERT Y. HAYNE ; and I do hereby recommend and solicit, that on that day all the Banks, and other places of business, and all places of amusement, may be closed, in order that all our citizens may unite in a tribute of respect to the memory of the deceased, and participate in the proceedings of the solemn and melancholy occasion, for which that day is thus set apart.

Given under my hand and the seal of the city, this 6th day of February, A. D. 1840, and in the 64th year of American Independence.

H. L. PINCKNEY, *Mayor*.

By the Mayor.

JOHN R. ROGERS, *Clerk of Council*.

General M'DUFFIE arrived in Charleston on Tuesday, the 11th of February, and took lodgings at the Charleston Hotel, where he was waited upon by the Hon. HENRY DEAS, Chairman of the Committee of Twenty-Five, and a Committee of Council, appointed for that purpose, consisting of the Mayor, and Aldermen LANCE and SEYMOUR. In reference to Gen. M'DUFFIE, and the proper observance of the day appointed for the delivery of the Eulogium, the following Resolutions were adopted by the Council :

CITY COUNCIL, FEB. 10, 1840.

Present—the Mayor, Aldermen SEYMOUR, PATTON, HUNTER, M'DONALD, SCHNIEBLE, SIMONS, RIPLEY.

The Mayor stated that he had convened Council, to lay before them an

invitation from the committee of citizens, appointed by a public meeting, to select an Orator to deliver an Eulogium upon the late Gen. HAYNE, that the Council and city officers should attend the delivery of the Eulogium by Gen. M'DUFFIE, on Thursday next.

The Mayor then submitted the following resolutions, which were unanimously adopted :

Resolved, That Council will walk in procession on Thursday next, and attend the delivery of an Eulogium upon the character of the late Gen. HAYNE, by the Hon. GEORGE M'DUFFIE.

Resolved, That all the city officers be requested to unite in the procession, and attend the exercises at the Circular Church; and that on that day, the city offices be closed, and city work suspended, from the hour of ten to three o'clock.

Resolved, That the collecting committees be requested to proceed, on the day after the delivery of the Eulogium, to the collection of contributions in their respective wards, for the erection of a monument to the memory of Gen. HAYNE.

Resolved, That a committee, consisting of Aldermen SEYMOUR and LANCE, be appointed to wait upon Gen. M'DUFFIE, on the part of the City Council.

To this committee the Mayor was added.

Council then adjourned.

JOHN R. ROGERS, *Clerk of Council.*

The day having at length arrived for the delivery of the Eulogium, the citizens began to assemble at an early hour, and, at the time appointed, a civil and military procession was formed, and the other ceremonies took place, of which the following account is extracted from *the Charleston Courier* :

"The civil and military procession was an imposing funeral pageant; our community uniting, without distinction of party, in the grateful office of mingling the cypress and the laurel on the tomb of the lamented HAYNE. It was formed at half past 10 o'clock, A. M. at the South Bay Battery, by Col. T. D. CONDY, Maj. T. L. WEBB, the Hon. J. S. RHETT, Dr. A. G. HOWARD, Wm. S. BRISBANE, Wm. H. INGLESBY, THOS. CORBETT, Jun., and JAMES M. WALKER, Esquires, acting as Marshals of the day. It consisted of the Hon. GEORGE M'DUFFIE, the Orator of the occasion, supported, on the right and left, respectively, by the Hon. H. L. PINCKNEY, Mayor of the city, and the Hon. HENRY DEAS; the City Council, and Officers of the city; the Relatives of the deceased; the Members of the State Legislature; the Committee of Arrangements; the Presidents, Directors, and Officers of the Louisville, Cincinnati, and Charleston Rail Road Company, and the South Carolina Canal and Rail Road Company; the Clergy; the Judges, and Members of the Bar; Officers of the Revolution and of the Army and Navy of the United States; Foreign Consuls; the various Charitable and other civil Societies of the city, with their banners in crape, in the order of their charters; the citizens generally; the Brigadier General and Staff, and Officers of the Militia; the Fire Masters and Fire Companies of the City and Neck, the Military Escort, formed by all the volunteer uniform corps

of the city, under the command of Colonel J. E. B. FINGLEY, and the Cavalry—the Marshals being posted at the head and rear, and on the flanks of the columns, and at proper intervals in the body of the procession. The procession thus formed, moved, in reversed order, to the solemn strains of appropriate music, along East Bay-street to Broad, up Broad-street to Meeting, and up Meeting to the Circular Church in Meeting-street, the doors, windows, and balconies of the public buildings and private houses, in the line of the procession, being thronged with the fair and sympathizing daughters of our City and State, uniting with the sterner sex in the common demonstration of grief and honor for the beloved and distinguished dead. On arriving at the church, the procession opened to the right and left, and moved inwards from the rear, (which then rested, such was the great length of the column, near the corner of Broad and Church-street,) and thus entered the Church. During the procession, minute guns were fired from the South Bay Battery, the Banks and stores were closed, and the colors of the shipping in the harbor were displayed at half mast.

“The spacious area, aisles, as well as pews, of the Circular Church was crowded with the immense auditory, and the galleries were thronged with ladies, who came to join in the tribute of sorrow and respect. awarded by their husbands, fathers, brothers, and sons, to the memory of the deceased.

“The ceremonies in the church commenced with an exceedingly impressive and highly appropriate prayer, by the Rev. Dr. R. Post, Pastor of the church. The following Anthem, beautifully adapted to the occasion, was next sung by a tuneful choir, to the rich accompaniment of the organ :

“Thou art gone to the grave—but we will not deplore thee,
Though sorrows and darkness encompass the tomb,
The Saviour has passed through its portals before thee ;
And the lamp of his love is thy guide through the gloom.
Thou art gone to the grave—we no longer behold thee,
Nor tread the rough paths of the world by thy side ;
But the wide arms of Mercy are spread to enfold thee,
And sinners may hope, since the Saviour hath died.

“Thou art gone to the grave—and its mansion forsaking,
Perchance thy weak Spirit in doubt lingered long ;
But the sunshine of Heaven beam'd bright on thy waking,
And the sound thou didst hear, was the Seraphim's song.
Though art gone to the grave—but we will not deplore thee,
Since God was thy ransom, thy guardian, thy guide.
“He gave thee, he took thee, and he will restore thee.”
“And death hath no sting since the Saviour hath died.”

“The Orator then rose and pronounced a noble and eloquent Eulogy on the character, virtues, and services of the illustrious deceased, embracing his biography, even from his birth and boyish days, and through his brilliant and unblemished career of manhood, to its sudden and lamented close, in the faithful and zealous discharge of responsible public duties, and in the highest and palmiest state of his fame and usefulness, in an untimely and *stranger* grave. The interest of the discourse was greatly enhanced, too, by occasional anecdotes illustrative of the energy, and industry, the fidelity to private duty, and patriotic devotion to the public good, which marked the character and illuminated the life of one of the purest patriots and most useful citizens our City and State have ever been called on, in life to honor, and in death to mourn.

"After the delivery of the Eulogy the following Anthem concluded the ceremonies of the occasion :

" This life's a dream, an empty show ;
But the bright world to which I go,
Hath joys substantial and sincere.
When shall I wake and find me there ?

" O ! glorious hour ! O blest abode !
I shall be near, and like my God ;
And flesh and sin no more control
The sacred pleasures of my soul.

" My flesh shall slumber in the ground
Till the last trumpet's joyful sound ;
Then burst the chains with sweet surprise,
And in my Saviour's image rise."

On the same day on which the Eulogium was delivered, and almost immediately after its delivery, the following proceedings were adopted by the City Council :

THURSDAY, FEB. 13th, 1840.

Present—The Mayor, Aldermen LANCE, SEYMOUR, KINLOCK, RIPLEY, SIMONS, PATRICK, HUNTER, SCHNIERLE, COGDELL, M'DONALD, PATTON.

The Mayor informed Council, that he had convened the members for the purpose of submitting to them the propriety of requesting the Hon. GEORGE M'DUFFIE to furnish a copy of his Eulogy, delivered this day, for publication.

Whereupon, on motion of Alderman LANCE, seconded by Alderman SEYMOUR, it was unanimously

Resolved, That the committee appointed to wait on the Hon. GEORGE M'DUFFIE, on his arrival in the city, be directed to request the manuscript of his Eulogy, pronounced this day, for publication, and that the same be printed for the use of the citizens, under the direction of the committee.

Council then adjourned.

JOHN R. ROGERS, *Clerk of Council*.

In compliance with the foregoing Resolution, the committee, appointed to solicit the Eulogy for publication, addressed to General M'DUFFIE the following note :

COUNCIL CHAMBER, FEB. 15th, 1840.

DEAR SIR,—

We have the honor to inform you, that at a meeting of the City Council on the 13th inst., the following Resolution was unanimously adopted, viz :

" *Resolved*, That the committee appointed to wait on the Hon. GEORGE M'DUFFIE, on his arrival in the city, be directed to request the manuscript of his Eulogy, pronounced this day, for publication, and that the same be printed for the use of the citizens, under the direction of the said committee."

In compliance with this Resolution, we respectfully apply for the manu-

script of the Eulogy, and trusting that you will gratify the Council and the community by permitting its publication, we remain, dear Sir,

Your obedient Servants,

H. L. PINCKNEY, <i>Mayor,</i>	} <i>Special Committee of the City Council of Charleston.</i>
R. W. SEYMOUR,	
F. LANCE,	

Hon. GEORGE M'DUFFIE.

To which the General made the following reply :

CHARLESTON HOTEL, 17th FEB. 1840.

GENTLEMEN—,

I have just received your note, dated the 15th instant, requesting for publication the manuscript of my Eulogy on the life and character of General HAYNE. Whilst I regret, that from the circumstances under which it was both prepared and delivered, it came far short of my own estimate of what was required by the occasion, I, nevertheless, feel that I have no option but to comply with your request. The manuscript is, therefore, placed at your disposal.

I am, gentlemen,

Your obedient Servant,

GEORGE M'DUFFIE.

Unavoidable circumstances have necessarily delayed the publication of the Eulogy: but well knowing the earnest and general desire of the citizens to peruse it, every effort was made by the committee to gratify this desire as speedily as possible. At the same time, it was thought proper to prefix to the Eulogy the foregoing account of the proceedings of the City Council, and of the citizens, in relation to the death of General HAYNE, for the purpose of preserving, in connection with the Eulogy, an authentic history of all that was done by the community of Charleston to honor the memory of a man, whom, whilst living, they regarded as their brightest ornament, and whose final departure from amongst them they will never cease to deplore.



EULOGY, &c.

WHY is it, my friends, that we have recently seen our fellow citizens in various parts of the State, regardless of all party distinctions, assembling together in sorrowful communion, and putting on the badges of public mourning? What great and common bereavement has thus united in common sorrows and common sympathies those who were, but the other day, estranged from each other by all the angry excitements of political contention? And why are we here assembled, with hearts full of sadness, amidst all these expressive signs of private and public affliction? Alas! the cause of all this is but too deeply and painfully impressed upon every heart in this assembly. For while conjugal affection, and filial piety, and generous friendship, mingle their tears on the tomb of the best of husbands, the most exemplary of parents, and the most faithful of friends, South Carolina is summoned to deplore the loss of a statesman, who guided and illustrated her councils by his wisdom; of an orator, who vindicated her sacred and violated rights by his eloquence; and of a patriot, who, in the midst of trials, and temptations, and difficulties, and dangers—bore aloft her untarnished escutcheon amidst the raging elements of the political tempest, and with a fidelity and devotion that never

hesitated, a heart that never quailed, and a heroic resolution that never faltered,

"Stood by his country's glory fast,
And nailed her colors to the mast."

Such, while living, were the high and undisputed titles of ROBERT Y. HAYNE, to the confidence and gratitude of his native State, and to the respect and admiration of the whole Union. But now the light of that wisdom is extinguished forever in our councils; the lofty strains of that eloquence are hushed in everlasting silence, and his patriot spirit has gone to mingle with the kindred spirits of our revolutionary fathers in those mansions of rest, where the stormy tempests of his earthly pilgrimage will be heard no more. Cut off in the full vigor of his faculties, and in the full career of his usefulness, by a destiny as untimely for his country, as it is afflicting to his family and his friends, it only remains for us to render the last solemn honors, and the last sad tribute of friendship, affection and gratitude, to the memory of our distinguished and lamented fellow citizen. To me has been assigned the mournful but gratifying part of presenting a faithful delineation of his life and character, which shall testify to posterity our exalted estimate of his worth, and which may serve to animate the patriotic struggles of future generations in defence of their rights and liberties, by the illustrious example it will hold up for their admiration. And if the intimate and confidential relations which have subsisted between us, without a momentary breach, for nearly twenty years, during which we were variously associated in the public service, may be supposed to qualify me in any degree for the task, I may hope that I shall not be entirely unsuccessful in performing this

last melancholy office of affection and duty, to the shade of my lost and lamented friend.

Follow me, then, my friends, while I take a brief review of his early life, and of his rapid and brilliant career at the bar, in the Legislature of the State, in the Senate of the United States, and as the Chief Magistrate of South Carolina, during a most perilous and eventful period in her history.

He was born, then, at his paternal mansion, in the parish of St. Paul's, on the 10th day of November, in the year 1791, and the greater portion of his juvenile days were spent amidst the charms of rural scenery, to which his mind was always peculiarly susceptible. Here he was habituated to those manly sports and invigorating exercises, to which he attached the utmost importance in training up his sons, believing that he was himself in no small degree indebted to them, for some of those striking traits of character by which he was distinguished in after life. There seems to be a general concurrence of opinion among all his early associates at school, that he did not exhibit, when sixteen years of age, any marked indications of that intellectual superiority over his fellows, which could have warranted the anticipation of the high distinction he deservedly attained so soon afterwards. But there is an equally general concurrence of opinion among all who were familiarly acquainted with him at that early age, that he even then exhibited those high moral traits of character, which, more than any natural endowments of mere intellect, lead to the highest attainments of human greatness. It would indeed seem from some of his private letters written in his seventeenth year, that stimulated by a high moral purpose, he had set up in his own mind a standard of intellectual attainment and moral excel-

lence, to which he resolved to reach, and which became in some sort a guiding star to direct and invigorate his footsteps in the toilsome path of distinction. Whether this standard was drawn from some living model of high talents and exalted worth, from some historical example, or from some ideal combination formed from both these sources, it forcibly suggests to us a reflection full of encouragement and hope to such of the rising generation, as despising ignoble ease and inglorious obscurity, generously aspire to true greatness. I believe that no youth of ordinary intellectual endowments, who thus fixed in early life the standard of his own attainments, and exerted himself with becoming resolution and perseverance to reach it, ever failed to attain to a very high distinction. I as confidently believe on the other hand, that no one ever became eminently distinguished in any of the great and useful departments of human affairs, who had not before him in the incipient stages of his moral and intellectual developement, some such standard of excellence to direct his aspirations, and stimulate his exertions. It is a wise dispensation of Providence, that in all those useful arts and sciences which contribute to the substantial happiness of the human race, by improving their moral and political condition, the will and the moral attributes of men, incomparably more than any intellectual endowments, fix and assign the rank they are to hold among the distinguished benefactors and ornaments of their kind.

How many thousands of intellects, naturally equal to that of WASHINGTON, have sunk into inglorious oblivion, for the want of this high moral power to stimulate and direct them? It may be almost said, that within certain limits, wide enough to gratify the

highest aspirations of virtuous ambition, men are the authors of their own destinies, and that their own will is the measure of their attainments. This brief speculation will scarcely be considered a digression, when we reflect that it is so strikingly illustrated by the life and character of our lamented fellow citizen.

After finishing his classical studies, he applied himself for some time to a course of reading, principally moral and historical, preparatory to the study of his profession. It was in this interval that he informed one of his then recent school-fellows, that he had formed and laid down for the government of his conduct, certain rules, drawn principally from ethical writers, which he considered it his duty to observe through life. In the same conversation, the different systems of moral philosophy having been brought into discussion, he expressed his very decided opinion, that any system of morals not founded upon Christianity, must be radically defective both in its requisitions and its sanctions. Indeed there is abundant evidence drawn from his conversations and writings, that from a very early period of his life, a sense of the obligations of religion was superadded to a deep sense of the moral obligation of all his various duties.

With his mind thus prepared and impressed, he commenced the study of the law in the office of our distinguished fellow-citizen, Judge CHEVES, the excellence of whose moral character, and the high powers of whose intellect, constantly exhibited before his pupil, cannot but have contributed in no small degree to develop the high qualities he soon afterwards displayed. He passed his examination, for admission to practice law, before he was twenty-one years of age; and Judge CHEVES, having been with-

drawn from the bar by his duties in Congress, transferred to him his immense business, with this memorable advice, given in reply to an expression of diffidence, and of a sense of his responsibility: "My young friend, never distrust yourself." Thus encouraged, and sustained no doubt by the consciousness of his own powers, he assumed the responsible charge, and destitute of experience as he was, commenced at once a career of successful practice, and very soon ranked with the first members of the Charleston bar, distinguished as it then was by the high talents that adorned it. His forensic eloquence possessed one striking peculiarity, which will no doubt be recollected by every one who had the pleasure of hearing him. There was a perspicuity and lucid analysis in the statement of his case, so skillfully exhibiting the facts, that he had generally produced conviction, or a disposition to be convinced, before he had even commenced his argument. This, with his high character for integrity and candor as a practitioner, gave him a great and merited influence over the minds of juries, and rendered him one of the most successful members of his profession. In a city where high talents, directed to virtuous ends, are never permitted to remain long without their appropriate reward, he was soon summoned, by the general voice of his fellow-citizens, to represent them in the Legislature of the State. He entered this body when he was only twenty-three years of age, and very soon disclosed those peculiar powers of clear perception and solid argument, combined with that propriety of language, distinctness of enunciation, and general felicity and persuasiveness of manner, which rendered him so effective as a parliamentary speaker, and caused him very soon to be classed among its

most distinguished members. He was equally remarkable for those less dazzling, but more useful talents which qualified him for the practical business of legislation—exhibiting a combination which I have seldom met with in an equal degree in the course of my legislative experience, and without which the most commanding powers of eloquence serve rather to illustrate the orator, than to benefit his country. He was emphatically a business man, and as the head of a committee, he had few equals in the laborious industry and excellent system, which enabled him to digest and prepare measures for the House with promptitude and accuracy, or in the judicious selection of topics and clearness of exposition which enabled him to carry them through it. These high qualifications gave him a commanding influence in the House, which so young a man had seldom before exercised.

He had served but two terms in the Legislature, when, as I happen to know, most unexpectedly to himself, he was elected presiding officer of that body. In connexion with his assuming the responsible duties of this appointment, I cannot resist the temptation to relate an anecdote strikingly illustrative of the resolution and perseverance which never deserted, but always sustained him.

It happened that he had never looked into a book of parliamentary rules, and he felt that he knew almost nothing on the subject. According to the usual practice of legislative bodies, the house adjourned over without doing any business the first day, except to complete its organization. He borrowed from a friend a copy of Jefferson's Manual, which he then opened for the first time, retired to his room, resolved to master its contents before he slept, and did not close his eyes that night. Thus much I learn from a

worthy friend, to whom he communicated it in an unreserved conversation many years after the event, while urging him to assume a responsible trust, and to illustrate this remarkable opinion by which he enforced his advice:—"I have always found that *good sense*, and a *firm purpose*, with competent general education, qualify a man for any thing." What follows, I state from my own personal knowledge. He took the chair next day, as thoroughly qualified for the discharge of its duties, as any presiding officer I have ever known. Indeed I remember to have been struck at the time, with the unhesitating promptitude and accuracy with which he despatched the business before the House; and during the whole time he remained in the chair, I do not remember a single instance in which his decision was reversed, or even an appeal taken from it. His manner of presiding, combining suavity, dignity, firmness and self-possession, commanded the universal respect of the House, and gave him a weight of authority, and power of preserving order, which I have rarely observed in any other presiding officer.

Previous to the expiration of the term for which he was chosen speaker, he was elected by the Legislature, Attorney General of the State, and continued in this office, until he was elected in 1823, to represent the State in the Senate of the United States. He was elevated to this high station at a very interesting period in the history of our federal relations, when it was deemed highly important to place the very first talents of the State in the federal councils, to maintain and vindicate those great and peculiar interests of the Southern States, which are inseparably connected with an unshackled commerce with foreign nations, against that unjust and fatal system

of legislative warfare which was then beginning to be distinctly developed. Yet he was the youngest man that had ever represented South Carolina in the Senate of the United States, being barely qualified, in point of age, to take his seat in that body. His time, having been almost exclusively devoted to the labors of his profession from the moment he entered upon the stage of active life, he felt that he was not sufficiently prepared for those great questions, which would come before the Senate; and with that high sense of duty, and resolute purpose to perform it, which were his leading characteristics as a public man, he devoted one whole summer immediately after his election, to the examination of the various manufacturing establishments at the North, and to the acquisition of that practical knowledge, which he never failed to exhibit in all the discussions connected with that subject.

On the new and more extended theatre on which he was now acting, he exhibited all those high qualities as a legislator, by which he had been distinguished while confined to a more limited sphere of action. To say that he very soon rose to a distinguished rank in one of the most august assemblies in the world, where the representatives of twenty-four sovereign States were sitting in council to discuss and decide the gravest questions of foreign and domestic policy, is no common praise for so young a man, just transferred from the judicial forum to the senatorial hall. His eminent talents for business, his indefatigable industry, and his peculiar powers of prompt and lucid explanation, could not but indicate him to the presiding officer of the Senate, as the chairman of one of its most important committees. During the greater part of his course of service in that body, he was

Chairman of the Committee on Naval Affairs, and performed the various and responsible duties of the station with such uniform industry, zeal and ability, as to secure the universal confidence of the Senate, and the general esteem and admiration of the officers of the Navy. I believe no chairman that ever presided over a committee in Congress, discharged his duties with more habitual promptitude, presented measures to the house in a more perfect state of preparation, or came more fully prepared to support and defend them.

One of the maxims of that system in business by which he accomplished so much with so little embarrassment—a maxim as important in council as in the field—was “never to postpone till to-morrow.” No confused piles of neglected documents—no such annoying monuments of procrastinating indolence—were found upon his table. He was always prepared. The encomium passed upon him by our distinguished fellow citizen, who then presided over the Senate, would, I doubt not, be ratified by the general concurrence of that body:—“I have often said, while I presided in the Senate, that he was the best Chairman of a Committee I ever saw in any deliberative body.”

So complete was his mastery of our whole system of Naval defences, and so signal his display of practical administrative talents, that it became a very general wish among the officers of the Navy, and of others who felt a strong interest in its welfare, that he should be placed at the head of the Naval Department.

I now propose to speak of his more public exhibitions of talent in the Senate, as a parliamentary speaker. Making it a matter of conscientious duty to

investigate thoroughly every question of importance upon which he might be called upon to vote, he seldom failed to bear a conspicuous part in the discussion of such questions ; and one cannot but be struck, in reviewing the congressional debates, with the minuteness of his information on every subject he discusses, and the uniform ability with which he maintains his opinions. He exhibits the peculiar and rare excellence as a public speaker, founded upon good sense and good taste, of never rising above or falling below his subject, saying just enough and no more, and just as it ought to be said.

I cannot even make a passing allusion to his various speeches, on the numerous and important subjects brought before the Senate, while he was a member of that body. But his memory and his fame are so closely and inseparably identified with the opposition made to the protecting system by himself in Congress, and by South Carolina in the character of a sovereign party to the federal compact, that I should violate the most sacred obligations of friendship and of duty, if I did not exhibit, with all the fidelity of history, the part he acted on that memorable question, in Congress, in the State Convention, and finally as the Chief Magistrate of the State.

In every stage of its progress in the federal legislature, he was the able, vigilant, eloquent and uncompromising opponent of that system. When the tariff of 1824 came before the Senate, he made one of his earliest and most successful efforts as a debater in that body, in opposition to it, exhibiting at the same time a comprehensive knowledge of the true principles of political economy and a thorough and minute knowledge of facts and details, which enabled him to demonstrate how grossly those principles were

violated by that measure. He replied, I think most triumphantly, to the speech made by Mr. CLAY in the House of Representatives, during the same session, exposing the shallow plausibilities, and overturning the lumbering piles of misapplied statistics, upon which the great author of that system of injustice, error and delusion, had been obliged to rest it. In that speech he distinctly denied the constitutional power of Congress to impose duties upon imports, for the purpose of protecting domestic manufactures—being among the first, if not the very first, who had ever taken that ground in Congress. His efforts in opposition to the tariff of 1828—the fatal consummation of that climax of unequal and oppressive measures, which threatened absolute destruction to the great agricultural interests of the exporting States, were in all respects equal to the momentous occasion. Ever at his post, and on all occasions prepared to meet and to drive back the strongest champions of this “mammoth of injustice and oppression,” as he most appropriately styled it, he did every thing that human reasoning and human eloquence could do, to save the rights and interests of South Carolina, and the other planting States, from this crowning measure of legislative despotism. But what could human reason and human eloquence avail against a predetermined and infatuated majority, composed of various interests, bound together by a mercenary league to plunder the exporting States of the Union, through the perverted forms of federal legislation? These were no weapons to use in such a contest, as the course of events too soon and too fatally demonstrated. Accordingly this odious and oppressive measure passed through all the solemn mockery of legislative forms; and in the name

and by the authority of a government claiming to be "paternal," one third of the annual income which South Carolina derived from the export of her great staples, was confiscated, for the use of the northern manufacturers. The annals of legislation furnish no parallel example of outrage upon every principle of freedom, consecrated by the sacrifices and the blood of our common ancestors in the Revolution, and upon every guarantee for the enjoyment of that freedom provided by the wisdom of those who formed the compact of our federal union. The flame of popular indignation and excitement burst forth simultaneously in every planting State with irrepressible violence, and this measure was universally denounced by the people in their primary assemblies, without distinction of party, as unconstitutional, unjust, and oppressive. In none of these States did this flame of indignant feeling burn with so great intensity, as in South Carolina; and the mind of every reflecting citizen was naturally led to the inquiry, whether there was any remedy in the reserved sovereignty of the State, by which the progress of this insufferable evil could be arrested, without resorting to the last painful remedy of withdrawing from the confederacy. But as one ray of hope yet remained, that on the extinguishment of the public debt, an event then rapidly approaching, Congress would be constrained by the public voice to relieve us from our oppressive burthens, the people of South Carolina, actuated by a long cherished and disinterested attachment to the Union, determined to acquiesce in the wrongs they suffered, until that last hope should be extinguished.

In the year 1832, the payment of the public debt having been nearly completed, all parties in Congress

could not but perceive the necessity of a very great reduction of the duties upon imports, if for no other purpose, to prevent the accumulation of a large surplus revenue, which all acknowledged to be a very great evil, and the almost certain source of corruption, in such a political system as ours. In order to anticipate any movement for a general reduction of duties, Mr. CLAY, early in January of that year, introduced a resolution in the Senate, declaring the expediency of repealing forthwith the duties upon all articles imported from foreign countries, which did not come in competition with domestic manufactures, leaving the enormous duties of the prohibitory system entirely untouched ; and thus throwing the whole burthen of federal taxation upon the foreign exchanges of the planting States, while the manufacturing States distinctly acknowledged, by the almost unanimous voice of their representatives, that every duty which would remain on the statute book, was a bounty to them, instead of a burthen. Our lamented friend, always too much on the alert to be surprised by any disguised movement against the interests of his constituents, with that readiness and promptitude for which he was remarkable, immediately exposed the true character of Mr. CLAY'S resolution, declaring that it would aggravate the evils of the protecting system, increase its inequality, and rivet its chains upon his constituents forever. He warned the Senate, in the most solemn and impressive manner, of the dangers by which it was surrounded, and declared that, in "the presence of that august body and before his God, it was his deep conviction, that the consequences to grow out of the adjustment of that great question, involved the future destinies of this country." He offered an amendment to the

resolution of Mr. CLAY, to the effect that "all the existing duties upon articles imported from foreign countries be so reduced, that the amount of the public revenue should be sufficient to defray the expenses of the government, after the extinguishment of the public debt; and that allowing a reasonable time for the gradual reduction of the present high duties on articles coming in competition with similar articles made or produced within the United States, the duties shall be ultimately equalized, so that the duty on no article should, as compared with the value of that article, vary materially from the general average." It is to be remarked, that this principle of gradual reduction was denounced by Mr. CLAY as slow poison, leading to the inevitable destruction of the manufacturing interest, though it subsequently formed the basis of the compromise, which he had an active agency in producing. Our illustrious fellow-citizen, regarding this declaration as closing the gates of hope on his long suffering constituents, delivered one of the best sustained arguments, and made one of the most fervid and eloquent appeals to the sealed ears of our oppressors, that I ever heard in any deliberative assembly. He exposed, in the most unanswerable manner, the gross inequality of the existing tariff; showing that it had produced the most blighting influence upon the prosperity of South Carolina, and the other planting States: and that it had proved to the Western States a most suicidal policy, cutting them off from their best and only customers, by reducing the value of their staples. He described, in the most glowing language of indignant patriotism, the melancholy memorials of desolation and premature decay it had produced in South Carolina, destroying the flourishing commerce which

once rewarded the enterprize of the merchants of this city, and compelling our planters to gather up the fragments of their ruined fortunes, and deserting the mansions and the tombs of their ancestors, to fly to the wilds of the south west, in the hope of mitigating the burthens of an oppressive system which they could not hope to escape. "Sir," said he, "when we look at our fertile fields, and consider the genial climate with which God has blessed the South—when we contemplate the rare felicity of our position as the producers of an article, which under a system of free trade would command the markets of the world—is it not enough to fill our hearts almost to bursting, to find the richest blessings that an indulgent Providence ever showered down upon any people, torn from us by the cruel policy of our own government?" He went into an analytical examination of the true character and practical operation of the protecting system, demonstrating by a most powerful and lucid process of reasoning and illustration, its unconstitutionality, inequality, injustice, and oppression. Coming, then, to the consideration of the question more immediately before the Senate—the policy to be adopted on the great era of the extinguishment of the public debt:—"We have arrived," said he, "at a most interesting crisis in our national affairs; one to which the people have been looking forward with intense anxiety, for several years past. They have contemplated the extinction of the public debt as the great day of jubilee, when they were to be relieved from the oppressions they have so long patiently endured. The people of the South, sir, like the children of Israel, have passed through the wilderness, and are now in sight of the promised land. They stand on the top of the Mount, and look with

delight at the goodly prospect before them ; and it is for you, this day, to determine whether they shall perish in the wilderness, or be permitted to possess and enjoy their rich inheritance." He exposed the plausible but deceptive scheme of reduction proposed by Mr. CLAY, and demonstrated that it would aggravate the grievances under which we were then suffering, by increasing the inequality and injustice, which, more than the aggregate amount of the burthens it imposed, rendered the protective system so justly odious and intolerable to the planting States. He showed that the whole system thus modified would be tyranny and taxation to us, protection and bounty to them. "We insist," said he, "that this is a violation of the principles on which our government is founded, and reduces us to a state of colonial vassalage." "Let not gentlemen," said he, "deceive themselves so far as to suppose that the opposition of the South to the protecting system, is not based on high and lofty principles. It has nothing to do with party politics or the mere elevation of men. It rises far above all such considerations. The spirit with which we have entered into this business, is akin to that which was kindled in the bosoms of our fathers when they were made the victims of oppression ; and if it has not displayed itself in the same way, it is because we have ever cherished the strongest feeling of confraternity towards our brethren, and the warmest and most devoted attachment to the Union. If we have been in any degree divided amongst ourselves in this matter, the source of that division, let gentlemen be assured, has not arisen so much from any difference of opinion as to the true character of the oppression, as from the different degrees of hope entertained of redress. All parties have been looking forward for

years past to this crisis for the fulfilment of their hopes, or the confirmation of their fears. And God grant that the result may be auspicious."

"Sir, I call upon gentlemen on all sides of the House, to meet us in the true spirit of conciliation and concession. Remove, I earnestly beseech you, from among us, this never failing source of contention. Restore that harmony which has been disturbed, that mutual affection and confidence which have been impaired. Dry up at its source this fountain of the waters of bitterness. It is in your power to do it this day, by doing equal justice to all. And be assured that he to whom the country shall be indebted for this blessing, will be considered the second founder of the Republic. He will be regarded in all after times as the ministering angel visiting the troubled waters of political dissension, and restoring to the element its healing virtues."

Such was the lofty spirit of patriotism and liberty which pervaded this great effort of our illustrious fellow citizen, to rescue South Carolina from her unconstitutional and oppressive burthens, and to prevent the occurrence of that conflict of sovereign authorities which he saw to be unavoidable, if these burthens were not removed. The effect it produced upon every impartial auditor may be inferred from the remark of a very talented and accomplished lady, who resided in a manufacturing State. "When I heard General HAYNE," said she, "pourtray the wrongs of South Carolina with so much eloquence, and appeal to her oppressors in a spirit so generous and patriotic, I could scarcely command myself; and I almost felt, that woman as I am, I could take up arms in her defence." Such was the noble sentiment excited in a mind unsophisticated and unper-

verted by selfish ends, and open to the force of truth and the claims of justice. But widely different was the impression made upon those grave and potent Senators who were sitting in the solemn mockery of judgment, to decide how far they should persevere in a system which made them rich, "but made us poor indeed." Reason and eloquence had no power to relax the grasp of our oppressors. Accordingly the principles of Mr. CLAY's resolution were embodied in a Bill which passed both Houses of Congress and received the sanction of the President; and it was openly declared by the whole Tariff party, of both political denominations, to be "*the settled policy of the country.*" The last feeble ray of hope was thus extinguished, and it remained for South Carolina to decide whether she would permit her citizens to live under a perpetual curse which violated their rights, blasted their prosperity, and subverted their liberties, or arrest its desolating progress by interposing the sacred shield of her sovereign power—a power "inestimable to us and formidable to tyrants only."—Having reached this eventful crisis in the political history of South Carolina, and in the life of our distinguished fellow citizen, let us pause for a moment, and consider dispassionately the causes which produced our memorable controversy with the Federal Government, and the principles involved in that controversy. South Carolina was an exporting State, and her great staple productions derived their value principally from the demand for them in foreign markets, and the free exchange of them for foreign manufactures. Congress possessed the power to impose duties upon foreign imports, but this power is expressly limited to the object of raising revenue. Congress possessed the power to regulate commerce with for-

eign nations, but for the sole purpose of extending and protecting it. In this state of things, when the federal treasury was full to overflowing, and there was not a shadow of complaint against any foreign power for any imputed violation of our commercial or national rights; that body, securing a majority by bribing various other interests to unite with the manufacturing interest, and by means of certain political combinations connected with the presidential election, passed that most extraordinary compound of heterogeneous and conflicting elements, the Tariff of 1828, a measure consistent in nothing but its remorseless wickedness and oppression, and which may be emphatically said to have been "born in sin, and brought forth in iniquity." I exempt neither of the great political parties of the time from the odium that should forever rest upon the authors of this infamous measure. It was a contest between them which should bid highest in Southern plunder for presidential votes, and the principles of the constitution, as well as the interests of nine sovereign States, were bartered away in an inglorious struggle for political power. The Tariff of 1832, as we have seen, aggravated all the enormities of that of 1828, by increasing its inequality. What, then, was the constitutional, and what the actual relation, of the Federal Government to South Carolina? Congress was constitutionally bound to preserve, protect, and extend our commerce, this being the primary cause of calling the Convention that formed the federal constitution; yet did that Congress, regardless alike of its most solemn constitutional duties and the principles of eternal justice, pass laws the avowed object and obvious tendency of which were to annihilate a branch of that commerce vast in its extent, lawful in its charac-

ter, beneficial in its general results, and absolutely essential to the prosperity of the planting States, for the unrighteous and partial purpose of nourishing and sustaining the manufacturing and other interests of distant States of the confederacy. Congress was under the most sacred obligation so to regulate the duties imposed under the revenue power as to produce the utmost practicable equality in the burthens they imposed on the different States of the Union; yet did that Congress impose duties ranging from 50 to 200 per cent. on our foreign exchanges which were avowedly designed to operate as bounties to the manufacturing States, while they operated as a twofold burthen of taxation and prohibition on all the States producing our great staples of exportation. South Carolina found herself placed in an extraordinary position in relation to her commercial exchanges. She exhibited the singular spectacle of a sovereign State, in a confederacy of equals, deprived of the right of bringing the productions of her own industry through her own custom houses, without paying a duty equal to half their value as a bounty to certain of her confederate States, while the very same description of productions made by the industry of those confederates, was admitted through those custom houses without paying any duty at all. Thus did the arbitrary and tyrannical legislation of Congress make this enormous discrimination between the productions of the different States, diminishing the value of the one class as compared with that of the other in exact proportion to this discrimination.

In fact we were reduced to the very worst condition of colonial dependence, and tributary vassalage, which the world has witnessed since the Proconsular despotism of Rome over her conquered provinces,

aggravated by the consideration that the free, sovereign, and independent States of a confederacy of equals, were thus degraded and oppressed, in palpable violation of the compact of their political union, and in utter contempt of every principle of that glorious struggle, by which they had achieved their common independence, and their common liberties. The colonial restrictions and unconstitutional taxes imposed upon our common ancestors by Great Britain, were "trifles light as air," in comparison with those imposed upon us, under the perverted forms of a free government. Nor were the principles upon which these burthens were imposed upon us, less subversive of all the constitutional guarantees of our liberty. In a confederacy of many States, having various and conflicting interests, the limitations of the constitution furnish the only safeguard for these peculiar and separate interests, the guardianship of which has been wisely reserved to the States. The principle of representative responsibility, except as to those common interests which have been committed to the charge of the federal government, is the most empty and delusive of all the securities of liberty. It may indeed be said, that the most odious and intolerable of all the known forms of despotism, is that of an interested majority in a confederated government, acting upon the separate peculiar interests of a minority, by usurping powers not granted by the compact formed for the express purpose of restraining that majority, and protecting that minority.

Indeed, the principle of representative responsibility was converted into a principle of despotism; the moment the federal government usurped the power of invading the sanctuary of private property

and State jurisdiction, by assuming to regulate the whole industry of the country, and fix the value of its productions, according to its arbitrary will. For the majority in Congress, who imposed the duties of the protecting system, were not the representatives of those who bore the burthen, but of those who received the bounty resulting from those duties. They constituted, therefore, a heartless, mercenary, and irresponsible despotism, which, "feeling power and forgetting right," was deaf to every claim, and dead to every sense of justice. To have hoped for a redress of our grievances under such auspices, after the passage of the tariff of 1832, avowedly establishing the settled policy of the country, would have been to look for a special interposition of Providence, changing the whole nature of man. And I here solemnly declare, that it is my deliberate conviction, that we should have been this day laboring under the unmitigated curse of the protecting system, but for the noble and heroic attitude assumed by South Carolina. That system was in its very nature progressive, acquiring from every increase additional strength and voracity—a monster, indeed, "that derived increase of appetite from what it fed on," with a power as omnipotent as its appetite was insatiable. Under these circumstances, our illustrious fellow-citizen, and his associates in Congress, having witnessed the progress, and studied the genius of this system, during eight years of unavailing remonstrances and protests, came to the solemn conclusion that "patience had ceased to be a virtue," and that submission had ceased to be a duty. Fellow-citizens, the excitement connected with these transactions has long since subsided—many of the prominent actors have been gathered to their fathers, and the

transactions themselves belong to history. Yet while preparing this brief notice of them in the retirement of my chamber, such were the recollections excited, that my blood boiled within me, my whole frame was agitated, and my pen almost refused to do its office. What, then, must have been the indignant excitement of our delegation in Congress, when they stood by as unwilling witnesses, and saw the sacred rights and vital interests of South Carolina, immolated on the unholy altars of avarice and ambition? Would they not have proved recreant to every duty of patriotism, if they had advised the State to tarnish the ensigns of her sovereign power, by a perpetual submission to a system which reduced her to a condition of colonial vassalage, and her citizens to poverty and ruin? Let posterity answer this question. I confidently appeal to the judgment of that impartial tribunal.

I do most solemnly and conscientiously believe—and the opinion has not been hastily formed, nor is it lightly hazarded—that if the oppressive burthens to which South Carolina was subjected, had not been disguised and concealed from the view of the people by the indirect mode of their operation, they would have been sufficient to have driven any civilized population in Europe, to the extremity of throwing them off by open rebellion. The revolution which brought CHARLES the 1st of England to the block, and that which drove CHARLES the 10th of France into exile, and finally elevated the houses of ORANGE and ORLEANS to the respective thrones of these two kingdoms, were not produced by usurpations and oppressions by any means so aggravated and intolerable, as those which induced South Carolina to resort to the more solemn, deliberate, and peaceful remedy,

afforded by the peculiar structure of our federal system. It remains, then, that I very briefly exhibit the part acted by our illustrious fellow-citizen, in expounding and enforcing this remedy. It was his fortune to be the first to declare and vindicate, in Congress, the sovereign right of a State, under the federal compact, to interpose her sovereign power to arrest the operation of an unconstitutional act of Congress, within her own limits. It was on the occasion of the celebrated contest between himself and Mr. WEBSTER, incidentally arising on a proposition relative to the public lands. In the course of some remarks on that subject, he deprecated a large and permanent public treasure as a means of corrupting and consolidating the government. Mr. WEBSTER, evidently with a premeditated design of assailing South Carolina, seized the occasion to disparage her domestic institutions, to ridicule the apprehension of danger from consolidating the government, to charge her citizens with disaffection to the union, and to speak contemptuously of what he called the South Carolina doctrine. Our lamented friend, more deeply excited than I ever saw him on any other occasion, by this gratuitous and unprovoked attack upon his State, her doctrines, and her institutions, made an able and successful defence at every point against which the attack had been directed. After retorting the charge of disaffection to the Union, by exposing the conduct of the federal party in Massachusetts during the late war with Great Britain, and vindicating the institutions of the South against the disparaging remarks which had been made by Mr. WEBSTER, he replied to his contemptuous allusion to what he was "pleased to call the South Carolina doctrine," by demonstrating from the Virginia and

Kentucky resolutions, drawn up by Mr. MADISON and Mr. JEFFERSON, that it was in fact the doctrine of these two States, and these two illustrious patriots—the very doctrine that had overthrown the federal party of 1798, and placed the authors of these resolutions successively at the head of the government. As Mr. WEBSTER, in the then existing state of his political relations, could not safely venture to deny the authority of these two great expounders of the federal constitution, nothing could have been more embarrassing than this judicious and well executed movement of his skilful antagonist. It completely arrested his crusade against South Carolina, by interposing the authority of two high minded States, and two venerated names—an authority, too, so clear and explicit, as to preclude the possibility of evading it, or explaining it away. The reply of Mr. WEBSTER, so much eulogized by his admirers—and undoubtedly a powerful display of controversial dialectics—was made under the excitement naturally produced by being thus baffled in his plan of invading South Carolina, and compelled to assume a defensive position.

It was distinguished by all that self possession and power of sarcasm and invective, for which he is remarkable; but though few men are his superiors as a mere argumentative debater, I think the impartial historian who shall record this intellectual conflict will pronounce, that on the great question at issue, his distinguished adversary achieved a decided victory. This will be made apparent, by briefly stating the prominent positions assumed by Mr. WEBSTER, in his exposition of our political system, and the manner in which they were refuted—bearing in mind that he did not, and dared not dispute the *authority* of the

Virginia and Kentucky resolutions, sanctioned by the venerated names of MADISON and JEFFERSON. His great and fundamental proposition, that which gave character to his whole theory, was, that the people of the United States, in their aggregate capacity as one nation, made and adopted the constitution, by which the federal government was brought into existence. It was rejoined, that this proposition was directly and palpably contradicted by history, and most explicitly by the resolutions, which he did not venture to controvert. • That the federal convention was composed of delegates elected by the States, acting separately through their Legislatures; that these delegates voted in the convention, not as a common mass, but as the representatives of their respective States, each State, without regard to its population, having one vote as a sovereign equal; and that the constitution thus formed, was adopted by the several States, each acting separately in its highest sovereign capacity. That these were notorious historical facts, and that the substance of them was thus plainly stated by Mr. MADISON, in the Virginia resolutions:—"The constitution of the United States, was formed by the sanction of the States, given by each in its sovereign capacity." The next proposition of Mr. WEBSTER, the legitimate offspring of the former, was, that the federal government has the exclusive right to determine the extent of its own powers, and that the Supreme Court was the organ through which that determination should be made in the last resort. To this it was rejoined, that it was a political solecism to talk about a division of powers between sovereigns, and yet to assume the exclusive right of one of these sovereigns to determine the extent of its own power, and by necessary con-

sequence to limit the power of the other at its discretion. That however true it was in a simple consolidated government, that this right of exclusive and final judgment existed, it was absolutely incompatible with the very notion of a confederated government, formed between independent, sovereign States, by a constitutional compact, defining the powers to be exercised by their common agents, for their common benefit, and reserving all other powers to themselves respectively. Here also the Virginia and Kentucky resolutions were too clear, to be refined away by any logical subtlety. The former declare, "that it is a plain principle founded on common sense, illustrated by common practice, and essential to the nature of compacts, that where resort can be had to no common superior to the authority of the parties, the parties themselves must be the rightful judges in the last resort, whether the bargain made has been pursued or violated." The Kentucky resolutions speak even a stronger language: "that the government created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the constitution, the measure of its powers; but that as in all cases of a compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions, as of the mode and measure of redress." And again: "That the principle and construction contended for by several of the State Legislatures, that the General Government is the exclusive judge of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers." Before these high

authorities and lucid expositions, Mr. WEBSTER seemed to cower, for not pretending to resist, he made a very feeble attempt to evade them, by giving them a construction in direct contradiction to their plain and literal import.

The last leading proposition of Mr. WEBSTER was that in no case of federal usurpation and oppression, however enormous, could a State interpose its sovereign authority to protect the rights, property, and liberties of its citizens against an unauthorized Act of Congress, without incurring the guilt of treason, in the persons of her functionaries. To this it was rejoined, that the idea of a State committing treason, against its confederates, or against any human authority, was inconsistent with the first elementary notion of sovereignty, and was essentially founded upon the assumption that the States were dependent corporations, or unorganized masses of individuals. That the interposition of a State in cases of gross usurpation and oppression, was a rightful and constitutional remedy, and being the act of a sovereign power through its civil organs, was in itself peaceful, and could only be made otherwise by the lawless application of force on the part of the Federal Government. In short, that it was the happy expedient of resisting intolerable oppression, and coercing a compromise, under our federal system, in cases which would produce civil war and revolution under other forms of government. These positions were unanswerably sustained by the Virginia and Kentucky resolutions.

The former declare, "that in case of a deliberate, palpable, and dangerous exercise of powers not granted by the said compact, the States who are parties thereto, have the right, and are in duty bound, to in-

terpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights, and liberties appertaining to them."

Those of Kentucky declare, "that the several States who formed that instrument, (the federal compact,) being sovereign and independent, have the unquestionable right to judge of its infraction, and that a nullification by those sovereignties of all unauthorized acts, done under color of that instrument, is the rightful remedy." Mr. JEFFERSON adds on another occasion, "it is the peculiar felicity of our constitution, to have provided this peaceable appeal where that of other nations is at once to force." Nothing can be more conclusive than these authorities.

Such is a brief outline of this celebrated senatorial conflict, and I think every impartial judge will agree that the great champion of a consolidated government, without limitation of powers, was completely overthrown.

Three years afterwards, when the progress of events had brought on the crisis which constrained South Carolina to maintain and exercise practically those sovereign rights and powers, which had been so ably vindicated in the Federal Senate, by our lamented fellow citizen, he was chosen a member of the State Convention. As Chairman of the Committee of Twenty-one, he reported the Ordinance of Nullification, preceded by an able and eloquent exposition of our wrongs, showing the utter hopelessness of redress from Congress, and the undoubted right and solemn duty of the State to make void the unconstitutional acts by which those wrongs were inflicted. A short time after the passage of this important measure, he was elected Governor of the State—a station of the very highest responsibility in

the then critical state of our relations with the Federal Government, and demanding the rarest combination of talents to meet the possible exigencies which might grow out of these relations. No higher evidence could have been given by the State of her confidence in his wisdom, firmness, prudence and patriotic devotion; and never was public confidence more fully justified, or public expectation more completely fulfilled, than by the consummate ability with which he performed his arduous duties.

On assuming this high trust, obviously impressed with a profound sense of the eventful issues which might grow out of the crisis, the sacred principles involved in the approaching contest, and his own solemn and responsible duties, he delivered an address, which for lofty and heroic patriotism, soul-inspiring eloquence, and perfect adaptation to the occasion, was never surpassed by any similar effort. After presenting a lucid exposition of our wrongs, of the sovereign right and duty of the State to arrest their progress, and alluding to the possibility of an attempt on the part of our federal rulers to reduce her to subjection by military force, he thus proceeds: "She has warned her brethren of the inevitable consequences of an appeal to arms; and if she shall be driven, in defence of her dearest rights, to resist aggression, let it be remembered that the innocent blood which may be shed in such a contest, will, on the great day of account, be required of those who shall persevere in the unhalloved attempt to exercise an "unwarrantable jurisdiction over us." If such, fellow citizens, should be our lot, if the sacred soil of Carolina should be polluted by the footsteps of an invader, or be stained by the blood of her citizens, shed in her defence, I

trust in Almighty God, that no son of hers, native or adopted, who has been nourished at her bosom, or cherished by her bounty, will be found raising a parricidal arm against our common mother." "Should she succeed, her's will be glory enough to have led the way in the noble work of reform. And if, after making these efforts, due to her own honor, and the greatness of the cause, she is destined utterly to fail, the bitter fruits of that failure, not to herself alone, but to the entire South, nay, to the whole Union, will attest her virtue. The speedy establishment upon the ruins of the rights of the States, and the liberties of the people, of a great CONSOLIDATED GOVERNMENT, "riding and ruling over the plundered ploughman, and beggared yeomanry," of our once happy land—our glorious confederacy broken into shattered and dishonored fragments—the light of liberty extinguished never perhaps to be relumed—*these—these* will be the melancholy memorials of that wisdom which saw the danger while yet at a distance, and of that patriotism which struggled gloriously to avert it; memorials over which repentant though unavailing tears will assuredly be shed, by those who will discover, when too late, that they have suffered the last occasion to pass away when the liberties of the country might have been redeemed, and the Union established upon a foundation as enduring as the everlasting rocks. *We* may not live to witness these things. To some of us it may not be allotted to survive the republic. But if we are only true to our duty, our example will, in that dark hour, be a rich legacy to our children—and which of us would desire a higher reward than to have it inscribed on his tomb, "here lies the man who sacrificed himself in a noble effort to rescue the Constitution from vio-

lation, and to restore the liberties of his country." Fellow citizens, "this is *our own, our native land*;" it is the soil of Carolina which has been enriched by the precious blood of our ancestors, shed in defence of those rights and liberties, which we are bound by every tie, divine and human, to transmit unimpaired to our posterity. It is *here* we have been cherished in youth and sustained in manhood, by the generous confidence of our fellow citizens; *here* repose the honored bones of our fathers; *here* the eyes of our children first beheld the light, and *here* when our earthly pilgrimage is over, we hope to sink to rest in the bosom of our common mother. Bound to our country by such sacred and endearing ties, let others desert her if they can; let them revile her if they will; let them give aid and countenance to her enemies if they may; but for us, we will **STAND OR FALL WITH CAROLINA.**" Engaged in the service of the State on a different theatre, it was not my fortune to hear this noble effusion of patriotic eloquence, but I can confidently say that I have read nothing in the speeches of the great Athenian Orator delivered on a similar occasion, against the usurping tyrant of Macedonia, in any respect more powerful. Of the effect it produced on them who heard it, let one of our distinguished citizens who was present—himself among the most eloquent speakers of our country—bear testimony. "It was," said he, "one of the most successful displays of eloquence I ever heard. It inspired the hearers with irrepressible enthusiasm, which burst forth in involuntary plaudits. I was agitated and subdued under its influence; many wept from excitement, and all, of all parties, were carried away, entranced by the magic powers of the speaker."

Such, my fellow citizens, were the principles and

purposes which animated our illustrious fellow citizen, when he assumed the helm of our State amidst the troubled elements that surrounded her, and which, combined with consummate prudence, inflexible firmness, and unconquerable perseverance, enabled him to carry her triumphantly through the storm which soon afterwards threatened to overwhelm her. It is a strong proof that a just Providence takes sides with the feeble in their noble, daring, and apparently hopeless struggles for their rights and liberties, that he always raises up in such great emergencies, some leader endowed with qualifications suited to the occasion. Never was this sign of an approving Providence more clearly given than in the present instance. Our chief was the personification, if I may so speak, of the great principles of our contest, and of the qualities necessary to conduct it. We were in the midst of conflicting opinions and violent party excitement at home, every moment liable to be roused into a flame which blood only could extinguish, and requiring the highest prudence to prevent so fatal a disaster; he possessed that prudence. We were threatened with overwhelming power from without, sufficient to appal any but the stoutest hearts, and to produce faltering in any but the firmest purposes, requiring eloquence to animate, firmness and courage to inspire confidence; he possessed that eloquence, firmness and courage. We were beleaguered by the naval and military forces of the United States, and heard the distant notes of preparation for a great military crusade against South Carolina, demanding the highest powers of military combination to be prepared for the defence of our firesides and our altars; he displayed those powers. In a word, the great variety of difficult and responsible duties, civil

and military, which devolved upon the Governor and Commander-in-Chief in the peculiar conjuncture of our affairs, required great wisdom to prepare for every contingency; and he possessed that wisdom. In confirmation of what I have here said, permit me to quote the opinions of those who were in the midst of the scenes of which they speak, and eminently qualified to form correct opinions from the incidents they relate. One of the most pious and intelligent clergymen of our country, who lived in this city during the whole period of our difficulties and dangers, and was a near and intimate neighbor of the Governor, after relating an incident, illustrating his great prudence and self-possession, by which your streets were in all human probability prevented from being stained with civil blood, says: "upon every review of the events of that fearful crisis, I am well convinced that ROBERT Y. HAYNE was an instrument, prepared by Heaven, to save the country from the horrors of a civil war. No other human being, but he alone, could have controlled those angry elements, and guided the State through that stormy period without a collision of arms. Every day of my life I thanked God for such a man, and supplicated the throne of mercy in his behalf until the danger was past." To show in what manner he answered the notorious Proclamation of President JACKSON, which, if its principles and threats had been carried into execution, would have struck every star from our political firmament, and consolidated our federal republic in the blood of its citizens, I again quote the language of the distinguished citizen heretofore mentioned, who was then a member of the Legislature. "There was a remarkable instance of that entire readiness for each emergency as it occurred, in the

manner in which he met the notorious Proclamation of General JACKSON against South Carolina. That document which spread terror with its progress through the Union, arrived at Columbia, when the Legislature was in Session, and was at 10 o'clock laid before the Committee of Federal Relations.—Whilst that committee had it under consideration, the Chairman stepped into the Executive Chamber, and enquired of the Governor whether he would undertake a prompt and official reply to the Proclamation. The Governor replied, "I will undertake it if the Legislature so desire." At the meeting of the House, the Committee reported the Proclamation, with a set of Resolutions, among which was one requesting the Governor to issue his counter-Proclamation. In two days afterwards, in as little time as was necessary for the mere penmanship, there was issued a document, whose elegance of composition, elaborate and conclusive arguments, just and clear constitutional exposition, confuted all the show of argument in the President's Proclamation; tearing away the subtle disguises of its labored sophistry, and rousing by its tone of proud defiance, devoted patriotism, and spirited rebuke, the highest feelings of the country. No performance could have been more perfect for the occasion, and I doubt whether such a document has ever been thrown off in the same space of time."

It was confidently anticipated by the authors and instigators of the Proclamation, that the people of South Carolina would promptly obey its imperial mandate, by "snatching from the archives of the State" that glorious "ORDINANCE," which will attest to future generations their exalted patriotism, and heroic devoted love of liberty. In fact, it comes within my

own knowledge, that this was the prevailing opinion at Washington, and that such were the artful plausibilities which threw a veil over the horrid features of that Proclamation, that many of the truest and boldest friends of South Carolina, considered her destiny as sealed, and absolutely "despaired of the Republic." But when the counter Proclamation tore off this veil, and exposed the monster in all its naked deformity, the reaction was overwhelming, not only in South Carolina, but in all the other Southern States, and voluntary offers of military service, in defence of our great cause, poured in from every quarter. It roused the citizens of South Carolina to the most exalted pitch of enthusiasm, and I have often said, as I sincerely believe, that in the most glorious days of Greece and Rome, these illustrious States never displayed a more self-devoted patriotism, a purer spirit of liberty, or a more heroic and unconquerable resolution to defend it, than our citizens, of all classes, exhibited in that unexpected and fearful emergency. It was that heroic spirit, inflamed by the eloquence, and directed by the wisdom and firmness of our illustrious fellow citizen, that carried South Carolina triumphantly through the dangers and difficulties of this perilous and unequal contest, and secured for the whole South a victory, which the mere wisdom of her statesmen, and eloquence of her orators, could never have achieved in Congress. We have been many years enjoying the fruits of that victory, in their progressive development, and have now a cheering prospect before us, of realizing, at no distant day, all that his anxious and patriotic hopes anticipated from this great struggle for our constitutional rights and liberties. And though, in the inscrutable dispensations of an all-wise Providence, it has not been allotted to him to witness

this complete consummation of his ardent hopes, and this high reward of his patriotic labors; yet will those labors be recollected, and his memory cherished, with admiration and gratitude, throughout the Southern States, as long as patriotism shall be deemed a virtue, constitutional liberty a blessing, or the sovereign rights and powers of the States the means of preserving it.

I have now brought to a close this very imperfect outline of his early life and public services. Imperfect as it is, it so fully illustrates his character, that very little remains but to group together that rare combination of high endowments and shining virtues, disclosed by every page of the narrative, which make up the portrait of a virtuous man, an incorruptible patriot, an eloquent orator, and a profound statesman. The intellectual endowment that gave to his mind its distinctive character was a sound and discriminating judgment, that great master faculty of the human intellect, without which, all the others, even in the most dazzling combinations of genius, are but wandering exhalations of the night, which serve only to bewilder and mislead those who commit themselves to their guidance. And when we consider that it is very little more than the power of applying the principles of common sense to the affairs of human life, great and small, in their various changes and combinations, it is wonderful to reflect how rarely it is found in those who are the rulers of mankind. In our illustrious and lamented fellow citizen, this cardinal faculty was united with those high moral qualities, justice, conscientiousness, firmness, and perseverance, which gave a wise direction to its decisions and energy to their execution. A very long and intimate acquaintance justifies me in saying that I never

have known any public man, who more habitually acted under the influence of a deep and conscientious sense of the obligations of duty. It was, indeed, the governing motive and animating principle of his whole conduct. All other considerations were absorbed in it. But it was not so much by any one faculty, standing out in prominent relief, as by the admirable adjustment of all his moral and intellectual qualities, that he was distinguished from other men. So harmonious, indeed, were these endowments, so perfect was their symmetry, and so entirely free from the contrast of opposing qualities, that we almost lost sight of each particular trait in our admiration of the beautiful and consistent whole. It was this happy concord of high moral and intellectual qualities, all acting in concert, and mutually sustaining each other, that rendered him, in every emergency of his eventful career, in all respects equal to the occasion. In a word, they constituted wisdom in council, and unfaltering firmness and self-possession in action—qualities for which few men have been so eminently distinguished. Permit me to introduce a testimonial on these points, which every one present will receive with respect and confidence. During those fearful scenes in this city, which followed the Proclamation of the President of the United States, against South Carolina, frequent consultations were held by the Governor with some of the most distinguished of his political friends, to decide upon the course proper to be pursued in the probable emergency of an attempt to arrest the Governor, or an invasion of South Carolina. At these consultations, the venerable Judge COLCOCK, whose loss we so justly deplore, was usually present; and speaking to a friend, of those trying times, some years afterwards,

he emphatically said: "HAYNE is the wisest man I ever met in Council: and with all his characteristic prudence, he never falters where even the bravest might hesitate." High as his intellectual endowments undoubtedly were, his moral qualities were still more strikingly developed. He was a wise man in the highest sense of the expression. He not only possessed the mere intellectual power of adapting his means to his ends, but he possessed the still higher quality of so directing that power, that "all the ends he aimed at were his country's, his God's, and truth's." It resulted from all this that his public career was singularly and uniformly fortunate, and that his character was never exposed, even during the most angry and embittered strife of contending parties, to a momentary imputation, which could cast the slightest blemish on his fame. He was always a popular favorite, uniformly retaining the confidence of his fellow citizens, though few public men were more perfectly free from those vulgar arts and degrading compliances, by which popularity is but too frequently sought, and too frequently acquired. And it is a fact every way worthy of being recorded to his own honor, and as an example to all youthful aspirants after distinction and fame, in the service of their country, that during his whole career as a public man, commencing at a very early age, and embracing almost every grade of office, civil and military, he never, in a single instance, solicited, even in the most indirect manner, the suffrage of a fellow citizen. How august would be the assemblages of the people to exercise the high prerogative of self-government, if all the candidates for their favor would follow this noble example! In commending it to the rising generation of public men, I can confidently assure

them, that it indicates the only certain means of placing their popularity on the solid foundation of public confidence, which is always extended as a voluntary offering to worth and talents, the more freely for being unsolicited.

I have known very few public men who were so entirely exempt, as he was, from the hateful passions of envy towards those who might be regarded as his rivals, or malignity towards his enemies. To the former he was always generous, and to the latter always just and forgiving. Indeed, he felt scarcely less interest in the reputation and success of the friends with whom he was associated, than in his own. In the mournful and pleasant recollections of the trying scenes through which we have passed together, many instances of this are revived in my memory.

I will complete this portrait of his public character by a sketch drawn by a distinguished Senator in Congress.

“His nature was made up of the higher, graver, and more sedate qualities and virtues: wisdom, fortitude, prudence, perseverance, and industry, cardinal qualities, upon the exercise of which the well being of society depends, upon which mankind repose with an instinctive feeling of safety, while they bring a willing tribute of respect and admiration. This was my own estimate of General HAYNE, and when I went into the Senate, soon after he left it, I found that the members of that body entertained the same sentiments in regard to him. He had left upon their minds a feeling of profound respect, and many of its wisest and best members regarded him with love and admiration. One of them especially often spoke of him with enthusiasm, and declared that he had known no man more fit for the Presi-

dency of the United States : a sentiment in which very many coincided." And such will be the estimate which posterity will place upon his character.

But I should perform the task assigned to me in a very imperfect manner, were I to be silent as to the virtues that adorned his private character. For after all, these are the only solid foundations of true greatness, the only guarantees of the integrity and fidelity of public men, and their only genuine titles to the confidence of the people. It would be well for our country, if the people themselves would always realize this important truth, and entirely reject that pernicious heresy, which holds that moral depravity is not incompatible with public integrity.

In all the relations of private life he was an example which the best among us might well aspire to equal. To use the language of one who knew him intimately, in the shades of family retirement, and amidst the various engagements and duties of domestic life : " All with him was in perfect keeping.— Alive to every duty, feeling every tie which connects a man with his kind, he gave to each its proper estimate. I have known him in the midst of a very numerous connexion, (comprising great variety of condition,) reflecting honor upon, and doing good to all—the sympathizing friend, the faithful adviser, the active coadjutor of each, as he or she might need his ever ready offices of kindness. Uncles, aunts, and remotest cousins, will bless his memory for acts of which the world can never hear. If gratitude and affection were the consequences, he could enjoy and appreciate them ; but the sole reward he looked to was the gratification of his own generous feelings and the approbation of his own conscience." Hundreds in this assembly will no doubt bear me out in

the opinion, that there has seldom existed a public man, in whom a deep and abiding sense of the various duties and responsibilities of private and domestic life, was so little impaired by the exciting cares of public business or the pursuits of ambition. His own family, indeed, was a circle of domestic felicity and himself the presiding genius. And often have I remarked with admiration the facility with which he could withdraw himself from the toils and contentions of the great political arena, and devote himself exclusively in the bosom of his family, to all the affectionate offices, and tender enjoyments of a husband, a father, and a friend.

He was scrupulously just and honorable in his dealings with mankind, and his heart and his hand were always open to claims upon his generosity or his public spirited liberality. It is the remark of one who knew him well, that "money, except as a means of simple competence and independence was as little regarded by him, as if he had not, in fact, belonged to the 19th century," and that "of all active men, his thoughts were least occupied with schemes for increasing his private fortune." I believe there is not that man living who can impute to him the commission of an intentional wrong, or a violation of any of the obligations of faith, justice, truth, or honor. Just to all others, he was also just to himself.—He enjoyed the good things of this life with habitual temperance, placing a just and philosophical estimate upon them all. He was not insensible to the rational pleasures and amusements of social life, but he always enjoyed them in moderation, and never permitted them to interfere with his duties. His house was the seat of unostentatious hospitality, where his friends were always received with a wel-

come as hearty and sincere as it was unpretending. Possessing naturally strong sensibilities easily excited, the prudence and self-command for which he was remarkable, indeed, I may say, his whole character, was in a great degree the result of moral discipline, restraining every impulse within its proper limits, and confining each to its proper function. In a word, his private character was as pure as his public character was illustrious, and, "take him for all in all"—seldom, very seldom, have we looked upon his like, and seldom shall we "look upon his like again." The sudden and untimely departure of such a man from the cares and responsibilities of his earthly career, while it impressively admonishes us that neither wisdom nor virtue can postpone the inevitable hour, is not without its consolations even to those who are most deeply affected by the awful bereavement. If his country has been deprived of his living services, his high example will illustrate her annals and animate the patriotic struggles of her freeborn sons, when successive generations shall have passed away. If his afflicted widow has been deprived of the affectionate offices of his protecting kindness and conjugal love, she can dwell with a melancholy and increasing pleasure on the memory of his virtues, and derive a soothing consolation from the universal sympathy of a whole community in her sorrows. If his children have been deprived of his parental guidance and fostering care, he has left them the imperishable inheritance of an illustrious name—and long, long may they preserve that inheritance, and transmit it from generation to generation in all its original purity and lustre.

APPENDIX.

The following communication was received since the delivery of the Eulogium, and is inserted to illustrate more than one feature of General HAYNE's character.

CHARLESTON, FEB. 1st, 1840.

MY DEAR M'DUFFIE,—

My absence from South Carolina, during the present winter, has prevented my attending more early to your request, that I should furnish you with any recollections, I may have preserved, of our inestimable and lamented friend HAYNE, with whom it was our pride and happiness to have been intimately associated, both publicly and privately, during the best portion of our lives.

As your own knowledge of his admirable character, and the communications of others, have doubtless afforded you the most interesting illustrations of his life, I will briefly confine myself to one anecdote, which furnishes an exponent of the feelings he carried into the public service of his country, at a moment of no small difficulty and peril. In the midst of the painful excitement which existed in this city, in the interval between the passage of the Act of Nullification and Mr. CLAY's proffered compromise, one evening about nine o'clock, Gen. HAYNE despatched a messenger to me, with a request that I would immediately call to see him. I found him alone. He had but recently given me the command of the volunteers in Charleston and its vicinity. To be prepared against an assault of the federal forces of the Government, then in the harbor of Charleston, we were both engaged, daily, in completing our field train, and the heavy ordnance intended for our stationary batteries, at different points in the city. After giving me some orders for the succeeding day, he appeared to be exceedingly thoughtful, and was obviously oppressed with much anxiety and care. He said to me, "I have always supposed, General, that if, unfortunately, the struggle between the General Government and ourselves did come on, it would be confined to an issue between the regular troops of the army of the United States and ourselves, and how-

ever greatly I may regret such an issue, nevertheless, in defence of our own laws, I am willing, in blood, to abide it. But, I have come painfully to the conviction, within a few days past, notwithstanding our hopes to the contrary, that, from a mistaken sense of duty, a large portion of the Union party, in this city, will stand in the ranks with the United States army, and that our streets may run with fraternal blood. God knows how soon we may be cursed with this calamity. In this event, the struggle would almost cease to be one between the Government of the United States and ourselves, but become a domestic civil war of the worst character. Let, therefore, the responsibility rest on our opponents. It is impossible to say what accidental conflicts may arise, we must stand on the defensive. Let us, by no means, be provoked to strike the first blow. For, you know, that among our opponents, there are men, whom we have long known and loved, and with whose families we are all intimately connected. If we are driven in the defence of the laws of our own State, and the process of our own courts, and, in *self-defence*, not only to stand by our arms, but to use them, we shall have done our duty before God and our country."

I never heard him speak with a deeper sensibility, combined with a greater tone of firmness, in a crisis, in which he displayed those delightful resources of kindness of feeling, joined to a high courage, which fitted him for any exigency, however dark and lowering. You know with what an anxious and earnest benevolence he contributed to a final pacification of parties in the State.

He has left us, my dear friend, in the midst of his unfinished labors, and created a chasm which we will not see soon filled. And for ourselves, where are we to look to have the void supplied in our friendships, which this bereavement has occasioned?

I remain with sincere and unabated esteem,

Yours faithfully,

J. HAMILTON.

Gen. Geo. M'DUFFIE.





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